

# Exhibit D

**Exhibit D**



FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP  
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October 23, 2015

Fred Chang  
Bob Bellack  
Lee C. Cheng  
Newegg Inc.  
16839 East Gale Avenue  
City of Industry, California 91745

**VIA FEDEX**

Re: Newegg's Infringing Sales of Cooler Master and Giga-Byte Liquid Cooling Products

Dear Messrs. Chang, Bellack, and Cheng:

We are counsel for Asetek and write to request that Newegg (and all its affiliates and subsidiaries) cease and desist from selling Cooler Master products that have been found by a federal court to infringe Asetek's U.S. Patent Nos. 8,240,362 and 8,245,764 ("the '362 and '764 patents"). Under United States patent law, all sales in the United States, offers for sale in the United States, or importation into the United States of the Cooler Master products listed below infringe Asetek's '362 and '764 patents. This is true regardless of whether the Cooler Master products are combined with graphics cards or other additional products or structures.

As you may be aware, following a jury verdict of patent infringement and damages in December 2014, Judge Tigar of the United States District Court of the Northern District of California entered an injunction on September 22, 2015, prohibiting CMI USA, Inc. and Cooler Master Co., Ltd. of Taiwan (and all of their affiliates, subsidiaries, and those acting in concert with them) from selling in the United States any of the infringing liquid cooling products, which include the following:

- Cooler Master Seidon 120M, 120XL, 240M, 120V, and 120V Plus;
- Cooler Master Nepton 140XL and 280L;
- Cooler Master Glacer 240L; and
- products not more than colorably different than the above-listed products.

A copy of Judge Tigar's Order entering the injunction is enclosed (see pp. 33-34, stating terms of the injunction entered in *Asetek Danmark A/S v. CMI USA, Inc.*, Case No. 13-cv-000457-JST).

In addition to prohibiting sales by CMI and Cooler Master, the injunction prohibits sales by persons "in active concert or participation" with CMI and Cooler Master who receive notice

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of the injunction. This prohibition is effective as of September 22, 2015, and applies regardless of when the infringing products were purchased from CMI USA, Inc. or any Cooler Master entity.

It has come to Asetek's attention that Newegg offers for sale and sells in the United States some or all of the above-identified infringing products. We have also learned that Newegg offers for sale and sells in the United States Giga-Byte's GEFORCE GTX 980 Water Force (sold under at least model number GV-N980WAOC-4GD), which we have disassembled and determined contains an infringing Cooler Master Seidon liquid cooling product (or, at a minimum, a Cooler Master liquid cooling pump head that is structurally the same as the Seidon 120M/240XL/240M, even down to the injection molding sites and screw hole placements, and is thus not colorably different from the Seidon 120M/240XL/240M). These sales violate the terms of Judge Tigar's injunction and themselves constitute infringement of Asetek's '362 and '764 patents. Thus, Asetek asks that Newegg cease all sales of the infringing Cooler Master and Giga-Byte products in the U.S., remove all listings of the above-listed products from your website accessible in the U.S., and cease importing infringing products into the U.S.

Please contact me immediately to discuss this matter.

Sincerely,



Robert F. McCauley

RFM/kme  
Enclosure